



PATENT 1-08-03
ATTORNEY DOCKET NO.: 041514-5114

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
Mitsuru SATO et al.)
)
Application No.: 09/813,898)
)
Filed: March 22, 2001)
)
For: TRACKING SERVO APPARATUS OF)
OPTICAL INFORMATION RECORDING)
AND REPRODUCING APPARATUS)

Group Art Unit: 2651

Examiner: Unassigned

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JAN 07 2003
Technology Center 2600

Commissioner of Patents
Washington, D.C. 20231

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. Each item of information contained in this Information Disclosure Statement (IDS) was cited in a European Search Report issued by the European Patent Office on December 2, 2002 in a counterpart foreign application. A copy of the European Search Report is enclosed for the Examiner's consideration.

To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application and no fees are believed to be necessary.

The following document is listed on the accompanying PTO Form 1449 and is in a language other than English.

1. Japanese Patent Publication No. 10-320814. The relevance of this document can be understood from the attached English-language Abstract and from the enclosed corresponding U.S. Patent No. 6,185,176.

A copy of each of the listed documents is attached. Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that the listed documents are material or constitute "Prior Art." If it should be determined that the listed documents do not constitute "Prior Art" under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

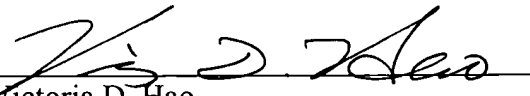
Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 6, 2003

By: 
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